

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO.

3:23-973

18 U.S.C. § 922(a)(1)(A)

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(1)(D)

18 U.S.C. § 924(a)(8)

18 U.S.C. § 924(c)(1)(A)(i)

18 U.S.C. § 924(e)

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(C)

v.

21 U.S.C. § 853

21 U.S.C. § 881

28 U.S.C. § 2461(c)

DAVARIOUS KEITH

SEALED INDICTMENT

COUNT 1

THE GRAND JURY CHARGES:

That beginning at a time unknown to the grand jury, but beginning from at least on or about November 10, 2022, and continuing up to on or about March 22, 2023, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, not being a licensed dealer within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms;

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

COUNT 2

THE GRAND JURY FURTHER CHARGES:

That on or about November 10, 2022, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Smith and Wesson, model SD9 VE, 9mm pistol, an FNH, model FNS-40, .40 caliber pistol, 9mm ammunition, and .40 caliber ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 3

THE GRAND JURY FURTHER CHARGES:

That on or about November 15, 2022, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Glock, model 43, 9mm pistol, an SCCY, model CPX-2, 9mm pistol, a Stoeger, model STR-9C, 9mm pistol, and 9mm ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 4

THE GRAND JURY FURTHER CHARGES:

That on or about November 18, 2022, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Smith and Wesson, model M&P Shield, .45 caliber pistol, a Sig Sauer, model P238, .380 caliber pistol, and .45 caliber ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 5

THE GRAND JURY FURTHER CHARGES:

That on or about November 22, 2022, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed a firearm and ammunition in and affecting commerce, to wit, a Cobra Enterprises, model FS380, .380 caliber pistol and .380 caliber ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 6

THE GRAND JURY FURTHER CHARGES:

On or about November 22, 2022, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of cocaine base (commonly known as “crack cocaine”), a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 7

THE GRAND JURY FURTHER CHARGES:

On or about November 22, 2022, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly used and carried a firearm during and in relation to, and did possess a firearm in furtherance of, a drug trafficking crime as alleged in Count 6, which is prosecutable in a court of the United States;

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT 8

THE GRAND JURY FURTHER CHARGES:

That on or about November 29, 2022, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Palmetto State Armory, model PA-15, 5.56mm rifle, a Taurus, model G2C, 9mm pistol, a Jimenez Arms, model JA T-380, .380 caliber pistol, 5.56x45 caliber ammunition, and 9mm ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 9

THE GRAND JURY FURTHER CHARGES:

That on or about December 2, 2022, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed a firearm and ammunition in and affecting commerce, to wit, a Ruger, model Mini-14, .223 caliber rifle and 5.56x44mm ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 10

THE GRAND JURY FURTHER CHARGES:

That on or about December 14, 2022, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Hi-Point, model 4595, .45 caliber rifle, a Taurus, model G2C, 9mm pistol, a Targa, model Titan, .23 caliber pistol, a Smith and Wesson, model M&P 9 Shield, 9mm pistol, .45 caliber ammunition, and 9mm ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 11

THE GRAND JURY FURTHER CHARGES:

That on or about January 5, 2023, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Mossberg, model 715T, .22 caliber rifle, a Palmetto State Armory, model PA-15, 5.56 caliber rifle, a Ruger, model Bearcat, .22 caliber revolver, an SCCY, model CPX-2, 9mm pistol, a Taurus, model G2C 9mm pistol, a Taurus, model G3, 9mm pistol, and 9mm ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 12

THE GRAND JURY FURTHER CHARGES:

That on or about January 9, 2023, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Smith and Wesson, model M&P 40 Shield, .40 caliber pistol, a Smith and Wesson, model M&P 9 Shield, 9mm pistol, and 9mm ammunition having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 13

THE GRAND JURY FURTHER CHARGES:

That on or about January 11, 2023, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Taurus, model G2C, 9mm pistol, a Smith and Wesson, model SW40VE, .40 caliber pistol, and a Ruger model LCP, .380 caliber pistol, and 9mm ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 14

THE GRAND JURY FURTHER CHARGES:

That on or about January 25, 2023, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Radical Firearms, model RF-15, 5.56mm/.223 caliber pistol, a Glock, model 27, .40 caliber pistol, a Ruger, model Security-9, 9mm pistol, a Smith and Wesson, model M&P 9, 9mm pistol, a Smith and Wesson, model M&P 9C, 9mm pistol, a Springfield Armory, model XD-9, 9mm pistol, 9mm ammunition and .40 caliber ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 15

THE GRAND JURY FURTHER CHARGES:

That on or about March 2, 2023, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Glock, model 30S, .45 caliber pistol, a Heckler and Koch, model VP9, 9mm pistol, a Ruger, model SR9, 9mm pistol, a Smith and Wesson, model M&P9, 9mm pistol, .45 caliber ammunition, and 9mm ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

COUNT 16

THE GRAND JURY FURTHER CHARGES:

That on or about March 22, 2023, in the District of South Carolina, the Defendant, **DAVARIOUS KEITH**, knowingly possessed firearms and ammunition in and affecting commerce, to wit, a Canik55, model TP-9SFX, 9mm pistol, an SCCY Industries, model CPX-2, 9mm pistol, a Smith and Wesson, model SD9VE, 9mm pistol and 9mm ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(8), and 924(e).

FORFEITURE

DRUG OFFENSE:

Upon conviction for felony violation of Title 21, United States Code as charged in this Indictment, the Defendant, **DAVARIOUS KEITH**, shall forfeit to the United States all of the Defendant's rights, title, and interest in and to any property, real and personal,

- (a) constituting, or derived from any proceeds the Defendant obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (b) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation of Title 21, United States Code.

PROPERTY:

Pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendant for the offense charged in this Indictment includes, but is not limited to, the following:

Proceeds/Forfeiture Judgment:

A sum of money equal to all property the Defendant obtained as a result of the drug offense charged in the Indictment, and all interest and proceeds traceable thereto as a result of his violation of Title 21.


SUBSTITUTION OF ASSETS:

If any forfeited property being subject to forfeiture, as a result of any act or omission of the Defendant:

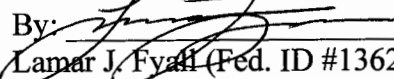
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of Defendant up to an amount equivalent to the value of the forfeitable property.

Pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c).

A True Bill

FOREPERSON

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